

1970

c 6 Administration of Justice Act

Ontario

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Bibliographic Citation

Administration of Justice Act, RSO 1970, c 6

Repository Citation

Ontario (1970) "c 6 Administration of Justice Act," *Ontario: Revised Statutes*: Vol. 1970: Iss. 1, Article 9.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1970/iss1/9>

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CHAPTER 6

The Administration of Justice Act

1. In this Act, "administration of justice" means the provision, maintenance and operation of, Interpretation

- (a) the courts of justice of the Province of Ontario, including small claims courts and provincial courts;
- (b) registry and land titles offices;
- (c) jails; and
- (d) the offices of coroners, clerks of the peace and Crown attorneys,

for the performance of their functions, including any functions delegated to such courts, institutions or offices or any official thereof by or under any Act. 1968, c. 1, s. 1, *amended*.

2.—(1) The Minister of Public Works on behalf of Ontario, Agreements may, at any time, enter into agreements with the council of any municipality for the acquisition or assumption by Ontario of property, accommodation, furnishing or equipment, or of contracts therefor, provided or entered into by the municipality for the administration of justice.

(2) For the purposes of subsection 1, the Minister of Public Idem Works may acquire more property or accommodation than is necessary for the purposes of the administration of justice, and may enter into agreements with the councils of municipalities for the use of any part of such property or accommodation by the municipality or a local board thereof for municipal purposes.

(3) Where, by an agreement under subsection 1, the council of a municipality retains or acquires property used for the administration of justice, such property shall be deemed to be required for the purposes of the municipality. Property deemed for municipal purposes

(4) Where, immediately before the 1st day of January, 1968, a municipality provided accommodation, furnishing, and equipment that it was required to provide for the purposes of the administration of justice, the municipality shall continue to provide such accommodation, furnishing and equipment until an agreement is entered into in respect thereof under subsection 1. Responsibility before agreement 1968, c. 1, s. 2.

Contracts of employment

3. Notwithstanding the provisions of any contract, where a person employed by the municipality in the administration of justice on the 31st day of December, 1967, is offered equivalent employment by Ontario, the municipality may terminate any contract of employment with such person. 1968, c. 1, s. 3.

Portion remitted to Ontario

4. Notwithstanding any other Act, every municipality shall pay to the Treasurer of Ontario all fines that are required by any Act to be paid over to the municipality, other than fines imposed for contravention of the by-laws of the municipality or a local board thereof. 1968, c. 1, s. 4.

Retaining special services

5.—(1) Where, in the opinion of the Crown attorney, special services are necessary for the detection of crime or the capture of a person who is believed to have committed a crime of a serious character, he may authorize and direct any person to perform such service, and shall certify upon the account to be rendered by the constable or other person what he considers to be a reasonable allowance to be paid to the person employed, and the amount so certified shall be paid to such person out of the moneys appropriated by the Legislature for the administration of justice.

Employment and payment of interpreter

(2) The Crown attorney may employ an interpreter in any criminal cause or investigation or at a coroner's inquest, and the interpreter shall be paid such amount as the Crown attorney certifies to be reasonable, and it shall be paid out of the moneys appropriated by the Legislature for the administration of justice. 1968, c. 1, s. 5.

Payment for special services

6.—(1) Where services are rendered by a person in connection with a prosecution and the services are rendered by the direction or with the approval of the Director of Public Prosecutions, the person rendering the services is entitled to be paid such sum as the Director of Public Prosecutions directs out of the moneys appropriated by the Legislature for the administration of justice.

Remuneration of witness coming to Ontario

(2) Where the Director of Public Prosecutions is of the opinion that it is necessary in order to procure the attendance as a witness for the Crown at a criminal trial of a person resident out of Ontario and that such person should be compensated for his loss of time and expenses in attending the trial, the Director of Public Prosecutions may direct that such sum as he considers reasonable be paid to such person out of the moneys appropriated by the Legislature for the administration of justice.

Payment of expenses of bringing accused to trial

(3) Where the Director of Public Prosecutions is of the opinion that it is advisable to bring a person charged with an indictable offence from a place out of or in Ontario to the place of trial in Ontario, he may direct that such be done and in every such case

the expenses incurred in carrying out the direction shall be paid out of the moneys appropriated by the Legislature for the administration of justice. 1968, c. 1, s. 6.

7. The Lieutenant Governor in Council may make regula- Regulations
tions,

- (a) requiring the payment of fees for any thing required or authorized to be done by any person in the administration of justice, and prescribing the amounts thereof;
 - (b) providing for the payment of fees and expenses for services in connection with the administration of justice;
 - (c) providing for any special provision considered necessary in respect of the terms of employment, remuneration, and benefits of persons employed by municipalities in the administration of justice immediately before the 1st day of January, 1968, and becoming employed by Ontario on that day, or any class thereof. 1968, c. 1, s. 7, *amended*.
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